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Attorneys for Plaintiff/Counter-Defendants

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

9 ULTRA INTERNET MEDIA, S.A., a company
10 organized under the laws of Nevis, West Indies;
11 and GIGAMEDIA LIMITED, a company
12 organized under the laws of the Republic of
China (Taiwan); and DOES 1-10,

13 Plaintiff/Counter-Defendants,

14 v.

15 HARRAH'S LICENSE COMPANY, LLC, a
Nevada limited liability company; and
16 HARRAH'S INTERACTIVE
17 ENTERTAINMENT, INC., a Delaware
corporation,

18 Defendants/Counterclaimants.

19 EVEREST GAMING LIMITED,

20 Plaintiff,

21 v.

22 HARRAH'S INTERACTIVE
23 ENTERTAINMENT, INC.; and HARRAH'S
LICENSE COMPANY, LLC,

24 Defendants.

Consolidated Base Case File No.: 2:10-cv-
00455-JCM-RJJ

(consolidated with Case No.: 2:10-cv-00607-
JCM-RJJ)

(consolidated w/ Case No.: 2:10-cv-00904-
JCM-LRL)RJJ

**ORDER DENYING EVEREST GAMING
LIMITED'S MOTION FOR
PRELIMINARY INJUNCTION**

25 This matter came before the Court on August 12, 2010 for the hearing on Everest Gaming
26 Limited's ("Everest") Motion for Preliminary Injunction (the "Motion for PI") (Everest Gaming
27 Lawsuit Docket No. 4). At the hearing, Everest appeared and was represented by Jay Young,
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1 Esq. and David T. Duncan, Esq. of the law firm of Marquis & Aurbach, and by Timothy J. Kelly,
2 Esq. and Ralph A. Dengler, Esq. of the law firm of Fitzpatrick, Cella, Harper & Scinto. Harrah's
3 License Company, LLC ("HLC") and Harrah's Interactive Entertainment, Inc. ("HIE") (and
4 collectively, "Harrah's") appeared and were represented by James D. Boyle, Esq. and the law
5 firm of Santoro, Driggs, Walch, Kearney, Holley & Thompson.

6 Having reviewed the papers submitted in support of and in opposition to the Motion for
7 PI, and having heard the oral argument of counsel, the Court denies the Motion. Harrah's uses of
8 the mark EVEREST POKER in association with the 2010 World Series of Poker are only
9 potentially improper or infringing of Everest's rights, title and interest in and to said mark if the
10 Promotional Agreement was effectively terminated. The Court cannot conclude that either party
11 is likely to succeed on the merits of demonstrating that the Promotional Agreement by and
12 between Harrah's and Ultra Internet Media, S.A. ("UIM") was effectively terminated or not."
13 THEREFORE, it is hereby ORDERED, ADJUDGED and DECREED that Everest Gaming
14 Limited's Motion for Preliminary Injunction is DENIED.

15 DATED: August ²⁰____, 2010.

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18 UNITED STATES DISTRICT JUDGE
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